

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
FIFTY-NINTH LEGISLATURE

FIFTY-THIRD LEGISLATIVE DAY
THURSDAY, FEBRUARY 28, 2008

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Lake, Shepherd(02), Wills.

Total – 3.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kyle Guth, Page.

Approval of Journal

February 28, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 27, 2008

Mr. Speaker:

I transmit herewith enrolled **S 1306** and **S 1355** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1306** and **S 1355** and, when so signed, ordered them returned to the Senate.

February 27, 2008

Mr. Speaker:

I return herewith enrolled **HCR 39** and **H 445** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 39** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 445** was referred to the Judiciary, Rules, and Administration Committee for the delivery to the Governor.

February 27, 2008

Mr. Speaker:

I transmit herewith **S 1252**, as amended, which has passed the Senate.

WOOD, Secretary

S 1252, as amended, was filed for first reading.

February 27, 2008

Mr. Speaker:

I return herewith **HJM 6**, **H 351**, **H 366**, **H 429**, **H 457**, **H 409**, **H 381**, **H 388**, **H 378**, and **H 385**, as amended, which have passed the Senate.

WOOD, Secretary

HJM 6, **H 351**, **H 366**, **H 429**, **H 457**, **H 409**, **H 381**, **H 388**, **H 378**, and **H 385**, as amended, were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 28, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 48**, **H 567**, **H 568**, **H 569**, **H 570**, and **H 571**.

CLARK, Chairman

HCR 48 was referred to the Education Committee.

H 568 and **H 569** were referred to the Revenue and Taxation Committee.

H 567, **H 570**, and **H 571** were filed for second reading.

February 27, 2008

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 544** and recommend that it do pass.

LAKE, Chairman

H 544 was filed for second reading.

February 27, 2008

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1321**, as amended, and recommend that it do pass.

LOERTSCHER, Chairman

S 1321, as amended, was filed for second reading.

February 27, 2008

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN

RESOURCES, report that we have had under consideration **S 1256** and **S 1311** and recommend that they do pass.

SCHAEFER, Chairman

S 1256 and **S 1311** were filed for second reading.

February 27, 2008

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1269**, **S 1373**, **S 1352**, **S 1354**, and **S 1418** and recommend that they do pass.

STEVENSON, Chairman

S 1269, **S 1373**, **S 1352**, **S 1354**, and **S 1418** were filed for second reading.

February 27, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1362** and **S 1371** and recommend that they do pass.

CLARK, Chairman

S 1362 and **S 1371** were filed for second reading.

February 27, 2008

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 518** and recommend that it be referred to the Revenue and Taxation Committee.

LOERTSCHER, Chairman

H 518 was referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

IN THE HOUSE OF REPRESENTATIVES HOUSE CONCURRENT RESOLUTION NO. 49 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE, ADOPTING A STATE EMPLOYEE COMPENSATION POLICY, ADOPTING FUNDING RECOMMENDATIONS, AND DIRECTING IMPLEMENTATION OF COMPENSATION POLICIES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature has by law provided that the Governor and Division of Human Resources report to the Legislature their recommendations for proposed pay policies, together with the estimated costs thereof; and

WHEREAS, the Legislature has received and reviewed the report of the Governor dated January 7, 2008, and the report of the Division of Human Resources dated December 1, 2007.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature,

the House of Representatives and the Senate concurring therein, that:

(1) It is the policy of the state of Idaho to provide a total compensation system that attracts, retains and recognizes state employees for their valuable service. The foundation of this system is to pay competitive job market average salaries, reward performance with a merit-based compensation philosophy, and a quality benefits package.

(2) The Change in Employee Compensation Committee recommends no adjustments be made to the current payroll or compensation structure.

(3) The committee recommends that the Joint Finance-Appropriations Committee provide funding for a 3% increase in employee compensation for state employees to be distributed as follows:

(a) Agencies and institutions are first directed to allocate to all eligible state employees a 1% salary increase.

(b) Agencies and institutions are required to review and target any needed funding, based on merit, toward high turnover classifications, individuals below midpoint within their agency, and individuals below 90% of the Compa-Ratio.

(c) Agencies and institutions are directed to target any remaining funding based on merit using the merit matrix required by Idaho Code.

(4) The committee recommends the following for an active state employee benefit package:

(a) The Joint Finance-Appropriations Committee is directed to provide funding of \$8,700 per full-time equivalent position for the employer portion of the benefit premiums. The Department of Administration is directed to collect no more than \$16,400,000, equivalent to a 29% total employee premium increase for premiums from active state employees.

(b) State agencies and institutions are directed to remit all state funding for health insurance included in the appropriations for employees eligible to be enrolled in health insurance to the group insurance account created in section 67-5771, Idaho Code.

(c) The Department of Administration is directed to institute an additional insurance plan option in order to provide state employees a choice that better meets the employee's individual needs and benefit coverage desires. The additional plan must maintain premiums at the 2008 premiums cost for both the employer and the employee.

(d) The Department of Administration is further directed to provide in fiscal year 2009 active employee insurance plans with benefits substantially similar to benefits provided in the fiscal year 2008 active employee insurance plans. If the Department of Administration is unable to maintain substantially similar benefits within the fiscal year 2009 funding designated in subsection (4)(a) above, the department shall notify both the Change in Employee Compensation Committee and the Joint Finance-Appropriations Committee of any substantial benefit changes to the insurance plans.

(e) The Change in Employee Compensation Committee recognizes that there exist subsidies within the active employee insurance plans as well as within the

active employee insurance premium charges. The Department of Administration shall be given the appropriate flexibility to address other inequities within the active employee insurance plans that are deemed appropriate by the Director of the Department of Administration.

(5) The committee further recommends that elected officials, judges, and commissioners be treated in a similar manner as state employees.

(6) Agencies and institutions shall create compensation and distribution plans to ensure such plans are consistent with the policies contained herein. Agency directors and institutional presidents shall approve all compensation and distribution plans and ensure that implementation of the plans is consistent with policies contained herein. Each agency and institution shall forward, for informational purposes only, copies of the agency approved compensation and distribution plans to the Legislative Services Office and the Division of Financial Management by June 1, 2008.

(7) For fiscal year 2009, agencies and institutions are hereby directed to allocate salary savings to provide for employee salary needs based on performance, before other operational budget priorities are considered. Where applicable, employees whose salaries are below midpoint of their pay grade, or occupational groups with significant turnover shall be considered first in the order of salary savings distributions.

(8) The effective date of implementation of ongoing salary adjustments shall be June 15, 2008.

BE IT FURTHER RESOLVED that appropriations measures to fund nonclassified employees be prepared as nearly as possible in the same manner as for classified employees.

**IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 50
BY WAYS AND MEANS COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
REQUESTING THE JOINT LEGISLATIVE OVERSIGHT
COMMITTEE TO DIRECT THE OFFICE OF PERFORMANCE
EVALUATION TO COMMISSION AN INDEPENDENT
EVALUATION OF THE IDAHO TRANSPORTATION
DEPARTMENT.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho Transportation Department (ITD) has responsibility for approximately 5,000 centerline miles of highways in Idaho with a budget of over 547 million dollars; and

WHEREAS, ITD estimates that its annual revenue shortfall on maintenance and construction is currently 245 million dollars; and

WHEREAS, highways are a critical infrastructure for Idaho's economy and for the mobility of its citizens; and

WHEREAS, the Legislature is deliberating on fee increases to provide more revenue to meet the ongoing and future needs of Idaho's highways; and

WHEREAS, the Legislature has the responsibility to ensure that current revenues and any potential new revenues are spent appropriately.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein,

that the Joint Legislative Oversight Committee is requested to direct the Office of Performance Evaluations to manage an independent evaluation of the ITD by a qualified, out-of-state consultant(s) without current contractual relationships with ITD or any consultant or contractor that works for or with ITD and without any other conflict of interest with ITD. The evaluation shall address the following questions, listed in order of priority:

(1) As measured over an appropriate time frame, does the manner in which ITD schedules, finances and sets priorities for improvement projects minimize life-cycle costs?

(2) Does ITD have appropriate processes and criteria to measure and evaluate the quality of its maintenance and construction work on state highways and do these processes and criteria include value engineering?

(3) Does ITD have a process for identifying and selecting projects in writing that is followed in a timely basis to ensure project consideration, progress and completion?

(4) What practices are used in determining the best price to value ratio on project contracts?

(5) What metrics are being used to evaluate project success?

(6) Are there state policies or legislation that might hamper ITD's programs, increase costs or limit options for efficiency, and, if so, what are they?

(7) Are there any precautions undertaken by ITD to insulate it from construction cost fluctuations?

(8) Is there work that ITD is currently outsourcing that ITD is capable of performing in-house or work that is being done in-house and that could be outsourced, including planning, environmental studies, right-of-way acquisition, design, public contacts and actual construction, and, if so:

(a) Is ITD's staff adequate to perform work in-house that is being outsourced;

(b) Could cost savings result by either performing the work in-house or outsourcing the work; and

(c) Would the quality of the work improve by either performing the work in-house or by outsourcing it?

(9) Does ITD have a written maintenance project budget and modeling process to project what moneys and resources will be required at any given time to maintain existing and additional highways?

BE IT FURTHER RESOLVED that the independent evaluation address the ITD's contracting process and supervision with regard to consulting contracts, including:

(1) The selection of those consultants requested to submit proposals and whether qualified consultants are being given the opportunity to submit proposals or whether the scope of contacted consultants has been arbitrarily limited;

(2) Whether the scope of the project to be performed by the consultant has been carefully defined so as to limit the need for supplementals and add-ons; and

(3) The performance of ITD in supervising its consultants, including auditing the consultant's task performance, hours of work claimed and requests for payment.

BE IT FURTHER RESOLVED that the independent evaluation address the ITD's contracting and supervision with regard to construction contracts, including:

(1) Whether no frills designs are being employed that ensure efficiencies in the expenditure of taxpayer dollars and that enable projects to achieve the most construction for the dollar without sacrificing safety and while complying with federal and state guidelines;

(2) ITD's evaluation of methods and engineering competency

employed by estimating project costs and whether such methods and engineering competency limit the awarding of contracts that substantially exceed the ITD estimate or limit the rebidding of contracts;

(3) Determine whether quality inspections by qualified inspectors or project engineers are being utilized;

(4) Examination of ITD's current policies and efforts to avoid and limit cost overruns and limit the supplemental amounts demanded by contractors. Also, whether there is a fair but firm appeals process in place, staffed with competent individuals, to address these issues; and

(5) Examination of ITD's internal review process on change orders, including the process for confirming change order costs and the utilization of value engineering in evaluating change orders.

BE IT FURTHER RESOLVED, that the Joint Legislative Oversight Committee is requested to direct the Office of Performance Evaluations to develop a scope of study to address the issues set forth above. As part of this study, the Office of Performance Evaluations shall develop and submit a report to the Legislature, not later than the Second Regular Session of the Sixtieth Idaho Legislature, on findings concerning best practices and appropriate performance measures. At the conclusion of each phase of the consultant's work, the Joint Legislative Oversight Committee is requested to submit a report of the completed results of the independent evaluation to the Sixtieth Idaho Legislature. The results so reported are to include action item recommendations upon which the Idaho Transportation Board and the Legislature can act to improve safety, efficiency and economies on surface transportation projects.

HCR 49 and **HCR 50** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 572 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE CATASTROPHIC HEALTH CARE COST FUND FOR FISCAL YEAR 2009.

HOUSE BILL NO. 573 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES WITHIN THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2009; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DIVISION OF VETERANS SERVICES WITHIN THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2008; REDUCING THE APPROPRIATION TO THE DIVISION OF VETERANS SERVICES WITHIN THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2008; AND DECLARING AN EMERGENCY FOR SECTIONS 3 AND 4 OF THIS ACT.

HOUSE BILL NO. 574 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2009; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND EXPRESSING LEGISLATIVE INTENT TO CLARIFY THE SCOPE OF THE APPROPRIATION.

HOUSE BILL NO. 575 BY EDUCATION COMMITTEE AN ACT

RELATING TO TEENS AT RISK; AMENDING SECTION 16-2403, IDAHO CODE, TO REVISE THE DEFINITION OF "TEENS AT RISK"; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 576 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO CHANGE OF NAMES; AMENDING SECTION 7-802, IDAHO CODE, TO PROVIDE THAT A CRIMINAL BACKGROUND CHECK BE FILED WITH PETITION FOR CHANGE OF NAME.

HOUSE BILL NO. 577 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO LOCAL IMPROVEMENT DISTRICTS; AMENDING SECTION 50-1722, IDAHO CODE, TO PROVIDE THAT WHEN A LOCAL IMPROVEMENT DISTRICT IS INITIATED BY RESOLUTION OF THE CITY COUNCIL NO BONDS, REGISTERED WARRANTS OR INTERIM WARRANTS MAY BE ISSUED UNLESS SUCH ISSUANCE IS APPROVED BY CONSENT, IN WRITING, EITHER BY NOT LESS THAN SIXTY PERCENT OF THE RESIDENT OWNERS OF TAXABLE PROPERTY WITHIN THE DISTRICT OR NOT LESS THAN TWO-THIRDS OF THE OWNERS OF TAXABLE PROPERTY SUBJECT TO ASSESSMENT WITHIN SUCH LOCAL IMPROVEMENT DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING APPLICATION.

HOUSE BILL NO. 578 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO COMMUNITY INFRASTRUCTURE DISTRICTS; AMENDING TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 31, TITLE 50, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE PURPOSE, TO PROVIDE FOR RELATIONSHIP TO OTHER LAWS AND A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR CREATION OF COMMUNITY INFRASTRUCTURE DISTRICTS, TO PROVIDE FOR DISTRICT ORGANIZATION, TO PROVIDE FOR DISTRICT POWERS, TO PROVIDE FOR CHANGE IN DISTRICT BOUNDARIES, TO PROVIDE FOR AMENDMENTS TO THE GENERAL PLAN, TO PROVIDE FOR FINANCES, TO PROVIDE FOR GENERAL OBLIGATION BONDS, TO PROVIDE FOR ELECTIONS, TO ESTABLISH LIMITS ON INDEBTEDNESS AND TO PROVIDE FOR A LEVY, TO PROVIDE FOR SPECIAL ASSESSMENTS AND SPECIAL ASSESSMENT BONDS, TO PROVIDE FOR REVENUE BONDS, TO PROVIDE FOR ELECTIONS, TO

PROVIDE FOR TERMS OF BONDS, TO PROVIDE FOR NOTICE AND CONDUCT OF ELECTIONS, TO PROVIDE FOR COST OF ADMINISTRATION, TO PROVIDE FOR ANNUAL FINANCIAL STATEMENTS AND ANNUAL BUDGET CERTIFICATION, TO PROVIDE FOR DISCLOSURE, TO PROVIDE FOR DISTRICT DISSOLUTION, TO PROVIDE FOR EXEMPTIONS AND EXCLUSIONS, TO PROVIDE FOR LIMITATION OF LIABILITY, TO PROVIDE FOR APPEAL, TO PROVIDE FOR CONSISTENCY WITH OTHER STATE LAWS AND TO PROVIDE FOR SEVERABILITY.

HOUSE BILL NO. 579
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO LIMITATION OF PROPERTY TAXES; AMENDING CHAPTER 8, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-802B, IDAHO CODE, TO PROVIDE A MECHANISM FOR THE VOTERS OF CERTAIN TAXING DISTRICTS TO REDUCE THE PROPERTY TAX PORTION OF THE TAXING DISTRICT'S BUDGET FOR THE FOLLOWING FISCAL YEAR WITH EXCEPTIONS, TO DEFINE TERMS AND TO PROVIDE PROCEDURES; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE A RESTRICTION IMPOSED BY A STATUTE FOR INDIGENT ASSISTANCE, TO PROVIDE FOR A LIMIT ON AN INCREASE IN THE EVENT A TAXING DISTRICT'S PROPERTY TAX PORTION OF ITS BUDGET IS ESTABLISHED PURSUANT TO A PROPERTY TAX REDUCTION ELECTION AND TO LIMIT FOREGONE INCREASES; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

HOUSE BILL NO. 580
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO THE DISTRIBUTION OF SALES TAX REVENUES; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR A DISTRIBUTION TO THE HIGHWAY DISTRIBUTION ACCOUNT OF SALES TAX REVENUES COLLECTED FROM RETAILERS WHO REPORT SALES OF CERTAIN MOTOR VEHICLE RELATED ITEMS.

HOUSE BILL NO. 581
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO HIGHWAY TRANSPORTATION PROJECTS; AMENDING SECTION 40-315, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN DEBT SERVICE AND OTHER BOND-RELATED EXPENSES AS A PERCENTAGE OF ANNUAL FEDERAL-AID HIGHWAY APPORTIONMENTS AND TO SET FORTH REQUIREMENTS OF THE DEPARTMENT OF TRANSPORTATION RELATING TO REQUESTS FOR GARVEE BONDING AUTHORITY.

H 572, H 573, H 574, H 575, H 576, H 577, H 578, H 579, H 580, and H 581 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1252, as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 543, by Education Committee, was read the second time by title and filed for third reading.

Mr. Nonini asked unanimous consent that **H 543** be placed on General Orders for consideration. There being no objection, it was so ordered.

H 545, H 458, and H 531, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1372, as amended in the House, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

H 517, as amended, and, **H 382**, as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 526, as amended, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

H 529, as amended, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 380, as amended, by Business Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 491 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 491** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wood(27), Mr. Speaker.
Total -- 64.

NAYS -- Durst. Total -- 1.

Absent and excused--Hagedorn, Lake, Shepherd(02), Wills, Wood(35). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 491** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 560 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 560** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayne, Thomas, Vander Woude, Wood(27), Mr. Speaker. Total -- 62.

NAYS -- Harwood, Mortimer, Trail. Total -- 3.

Absent and excused--Hagedorn, Lake, Shepherd(02), Wills, Wood(35). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 560** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 532 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

Mr. Roberts asked unanimous consent that, pursuant to Rule 22, discussion of other legislation be allowed in debate of **H 532**. There being no objection, it was so ordered.

The question being, "Shall **H 532** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Collins, Durst, Eskridge, Hagedorn, Harwood, Henbest, Henderson, Jaquet, Killen, King, Labrador, LeFavour, Loertscher, Luker, Mathews, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Thayne, Thomas, Trail, Wood(27), Wood(35), Mr. Speaker. Total -- 55.

NAYS -- Bell, Clark, Crane, Hart, Kren, Marriott, McGeachin, Mortimer, Moyle, Raybould, Stevenson, Vander Woude. Total -- 12.

Absent and excused--Lake, Shepherd(02), Wills. Total -- 3. Total -- 70.

Whereupon the Speaker declared **H 532** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 476**, **H 477**, and **H 480** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 476 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 476** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shirley, Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wood(27), Mr. Speaker. Total -- 64.

NAYS -- Harwood, Wood(35). Total -- 2.

Absent and excused--Bedke, Lake, Shepherd(02), Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 476** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Black, Lake, Shepherd(02), Shirley, Wills. Total -- 5.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 477 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 477** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shively, Smith(24), Smith(30)(Stanek), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wood(27), Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused--Bell, Black, Lake, Roberts, Shepherd(02), Shirley, Wills, Wood(35). Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 477** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 480 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 480** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Labrador, LeFavour, Loertscher, Marriott, Mathews, McGeachin, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shively, Smith(24), Smith(30)(Stanek), Stevenson, Thomas, Trail, Mr. Speaker. Total -- 52.

NAYS -- Barrett, Harwood, Kren, Luker, Raybould, Shepherd(08), Thayn, Vander Woude, Wood(27), Wood(35). Total -- 10.

Absent and excused--Black, Lake, Moyle, Roberts, Shepherd(02), Shirley, Snodgrass, Wills. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 480** passed the House. Title was approved and the bill ordered transmitted to the Senate.

S 1265 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood to open debate.

The question being, "Shall **S 1265** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker,

Marriott, Mathews, McGeachin, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shively, Smith(24), Smith(30)(Stanek), Stevenson, Thayn, Thomas, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused--Black, Lake, Moyle, Roberts, Shepherd(02), Shirley, Snodgrass, Wills. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1265** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1267 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood to open debate.

The question being, "Shall **S 1267** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(08), Shively, Smith(24), Smith(30)(Stanek), Stevenson, Thomas, Trail, Vander Woude, Wood(27), Wood(35), Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused--Black, Lake, Moyle, Shepherd(02), Shirley, Snodgrass, Thayn, Wills. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1267** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar hold their place one legislative day. There no objection it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 10:30 a.m., Friday, February 29, 2008. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:49 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk